

COMMITTEE PRINT

[SHOWING THE TEXT OF H.R. 921 AS FAVORABLY FORWARDED BY THE
ENERGY AND COMMERCE SUBCOMMITTEE ON HEALTH ON JUNE 8, 2016]

114TH CONGRESS
2D SESSION

H. R. 921

To provide protections for certain sports medicine professionals who provide
certain medical services in a secondary State.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 12, 2015

Mr. GUTHRIE (for himself, Mr. RICHMOND, and Mr. WOMACK) introduced the
following bill; which was referred to the Committee on Energy and Com-
merce, and in addition to the Committee on the Judiciary, for a period
to be subsequently determined by the Speaker, in each case for consider-
ation of such provisions as fall within the jurisdiction of the committee
concerned

A BILL

To provide protections for certain sports medicine profes-
sionals who provide certain medical services in a sec-
ondary State.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Sports Medicine Licen-
5 sure Clarity Act of 2016”.

1 **SEC. 2. PROTECTIONS FOR COVERED SPORTS MEDICINE**
2 **PROFESSIONALS.**

3 (a) IN GENERAL.—If a covered sports medicine pro-
4 fessional provides covered medical services to an athlete,
5 an athletic team, or a staff member of an athlete or ath-
6 letic team in a secondary State, such services shall be
7 deemed to have been provided in the primary State for
8 the purpose of determining the liability insurance of that
9 professional.

10 (b) DEFINITIONS.—In this Act the following defini-
11 tions apply:

12 (1) ATHLETE.—The term “athlete” means an
13 individual—

14 (A) competing in a sporting event spon-
15 sored or sanctioned by a national governing
16 body; or

17 (B) for whom a high school or an institu-
18 tion of higher education provides a covered
19 sports medicine professional.

20 (2) ATHLETIC TEAM.—The term “athletic
21 team” means a sports team—

22 (A) composed of individuals who are paid
23 to participate on the team;

24 (B) composed of individuals who are com-
25 peting in a sporting event sponsored or sanc-
26 tioned by a national governing body; or

1 (C) for which a high school or an institu-
2 tion of higher education provides a covered
3 sports medicine professional.

4 (3) COVERED MEDICAL SERVICES.—The term
5 “covered medical services” means general medical
6 care, emergency medical care, athletic training, or
7 physical therapy services. Such term does not in-
8 clude care provided by a covered sports medicine
9 professional—

10 (A) at a health care facility; or

11 (B) while a health care provider legally au-
12 thorized to practice in the secondary State is
13 transporting the injured individual to a health
14 care facility.

15 (4) COVERED SPORTS MEDICINE PROFES-
16 SIONAL.—The term “covered sports medicine profes-
17 sional” means a physician, athletic trainer, or other
18 licensed health care professional who—

19 (A) is legally authorized to practice in the
20 primary State;

21 (B) provides covered medical services, pur-
22 suant to a written agreement with an athletic
23 team, national governing body, high school, or
24 institution of higher education, to an individual

1 who is a member or staff of the athletic team;
2 and

3 (C) prior to providing the covered medical
4 services described in subparagraph (B), has dis-
5 closed the nature and extent of such services to
6 the entity that provides the professional with li-
7 ability insurance in the primary State.

8 (5) HEALTH CARE FACILITY.—The term
9 “health care facility” means a facility in which med-
10 ical care, diagnosis, or treatment is provided on an
11 inpatient or outpatient basis. Such term does not in-
12 clude facilities at an arena or stadium or temporary
13 facilities existing for events where athletic teams are
14 competing.

15 (6) INSTITUTION OF HIGHER EDUCATION.—The
16 term “institution of higher education” has the
17 meaning given such term in section 101 of the High-
18 er Education Act of 1965 (20 U.S.C. 1001).

19 (7) NATIONAL GOVERNING BODY.—The term
20 “national governing body” has the meaning given
21 such term in section 220501 of title 36, United
22 States Code.

23 (8) PRIMARY STATE.—The term “primary
24 State” means the State in which the covered sports
25 medicine professional is legally authorized to prac-

1 tice pursuant to a written agreement with an ath-
2 letic team, national governing body, high school, or
3 institution of higher education.

4 (9) SECONDARY STATE.—The term “secondary
5 State” means any State in which the covered sports
6 medicine professional is not legally authorized to
7 practice.

8 (10) STATE.—The term “State” means each of
9 the several States, the District of Columbia, and
10 each commonwealth, territory, or possession of the
11 United States.